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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

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10 IN RE THE MATTER OF WITNESS  
11 DR. SUSAN CLARK

Case No. MS09-54RSL

12 ORDER VACATING ORDER  
13 TO SHOW CAUSE AND  
14 CLOSING MATTER


15 This matter comes before the Court *sua sponte*. On April 16, 2009, the Court  
16 ordered Dr. Susan Clark to show cause why she should not be held in contempt of Court  
17 pursuant to Federal Rule of Civil Procedure 45(e) and the Court's inherent authority for  
18 failing to comply with a subpoena, for refusing to comply with a direct order of the Court,  
19 and for destroying relevant evidence in the civil matter French v. Providence Everett  
20 Medical Center, C07-0217RSL.

21 Dr. Clark filed a written response to the order to show cause, and as ordered, she  
22 appeared for a hearing before the Court on May 20, 2009. The Court hereby VACATES  
23 the order to show cause (Dkt. #1) based on Dr. Clark's explanation that her actions were  
24 based on personal, professional, and financial stressors in her life at the time. By vacating  
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26 ORDER VACATING ORDER TO SHOW  
CAUSE AND CLOSING MATTER - 1

1 the order to show cause, the Court does not suggest that Dr. Clark's actions were proper  
2 or excusable; they were not. Nor should they be repeated. Rather, the Court is closing  
3 this matter because the *French* case has been closed; Dr. Clark had to expend funds to  
4 hire counsel and respond to this matter, which is akin to a monetary sanction; civil  
5 contempt sanctions would serve no real purpose under the circumstances; and the Court  
6 does not intend to refer this matter for potential criminal prosecution.

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8 DATED this 20th day of May, 2009.

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11 Robert S. Lasnik  
12 United States District Judge  
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